

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Joseph Erby Freeman,

Plaintiff,

Case No. 20-12637

v.

Judith E. Levy

United States District Judge

John Doe,

Mag. Judge Patricia T. Morris

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [25]**

Before the Court is Magistrate Judge Patricia T. Morris's Report and Recommendation. (ECF No. 25.) The Report and Recommendation recommends that the Court dismiss Plaintiff Joseph Erby Freeman's complaint against the remaining John Doe Defendant pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. (*Id.*) The parties were required to file specific written objections, if any, within 14 days of service. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. The Court has nevertheless carefully reviewed the Report and Recommendation and concurs in the reasoning and result. Accordingly,

The Report and Recommendation (ECF No. X) is ADOPTED;

This case is hereby DISMISSED WITH PREJUDICE.<sup>1</sup>

IT IS SO ORDERED.

Dated: February 3, 2023  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 3, 2023.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager

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<sup>1</sup> By failing to object to the Report and Recommendation, the parties have forfeited any further right of appeal. *United States v. Wandahsega*, 924 F.3d 868, 878 (6th Cir. 2019); *see also Berkshire v. Beauvais*, 928 F.3d 520, 530 (6th Cir. 2019).